

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Van Thi Nguyen

v.

Case No. 11-cv-319-PB

United States of America

O R D E R

The defendant has failed to explain how she was prejudiced by her counsel's alleged failure to have an interpreter read her the presentence report before she was sentenced. She does not identify any errors in the report. Nor does she explain a different outcome might have been obtained if an interpreter had read her the report rather than her attorney. Accordingly, as the government has demonstrated in its opposition to the motion, she has not established an essential component of her ineffective assistance of counsel claim. Defendant's motion to vacate (Doc. No. 1) is denied.

Because the petitioner has failed to make a substantial showing of the denial of a constitutional right, the court declines to issue a certificate of appealability. See 28 U.S.C. § 2253(c)(2); Rule 11, Rules Governing Habeas Corpus Cases Under Section 2254; First Cir. LR 22.0.

SO ORDERED.

/s/Paul Barbadoro
Paul Barbadoro
United States District Judge

September 8, 2011

cc: Van Thi Nguyen, pro se
Seth R. Aframe, Esq.